

Appl. No. 09/856,277
Paper dated October 12, 2004
Reply to Office Action of June 10, 2004
Attorney Docket No. 702-010802



AP/16/16 EFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/856,277
Applicant : Peter Jozef Leo Hespel
Filed : August 20, 2001
Title : Oral Creatine Supplementation for Treating or Preventing
Muscle Disuse Syndrome
Group Art Unit : 1616
Examiner : Sharmila S. Gollamudi

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated June 10, 2004 of the Primary Examiner rejecting claims 13-18, 21 and 22. A supporting Appeal Brief will be filed in due course.

Pursuant to 37 C.F.R. §1.17(b), a check is enclosed in the amount of \$450.00 to cover the cost of filing the Notice of Appeal (\$340.00) and a one-month extension of time (\$110.00). The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Notice of Appeal are enclosed.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 12, 2004.

Kimberly N. Welday
(Name of Person Mailing Paper)

Signature Kimberly N. Welday 10/12/2004 Date

Respectfully submitted,
WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By Barbara E. Johnson
Barbara E. Johnson
Registration No. 31,198
Attorney for Applicants
700 Koppers Building
436 Seventh Avenue
Pittsburgh, Pennsylvania 15219-1818
Telephone: 412-471-8815
Facsimile: 412-471-4094